

## Message

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**From:** Dunn, Alexandra [dunn.alexandra@epa.gov]  
**Sent:** 3/12/2019 9:01:17 PM  
**To:** Henry, Tala [Henry.Tala@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Block, Molly [block.molly@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]  
**CC:** Baptist, Erik [Baptist.Erik@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Morris, Jeff [Morris.Jeff@epa.gov]; Hartman, Mark [Hartman.Mark@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Tyler, Tom [Tyler.Tom@epa.gov]; Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]  
**Subject:** RE: March 13 hearing. LATEST VERSION.  
**Attachments:** 03-12-2019 - HEC Letter on Worker Protection v4.docx

We tried all afternoon to get MORE SPECIFIC but cannot due to proprietary slippery slopes (chemical names etc). Still I think we have done better.

See below statement from EDF in advance of the hearing. We will double check to see if we've hit the high points they're talking about.

Post also available at <http://blogs.edf.org/health/>. If you would like to opt out of receiving these emails, please [click here](#).

## **EDF statement in advance of house hearing on failure by the Trump EPA to protect workers from toxic chemicals**

By [Richard Denison](#) / [Bio](#) / Published: March 12, 2019

[Richard Denison, Ph.D.](#), is a Lead Senior Scientist.

Tomorrow, the House Energy and Commerce Committee's Subcommittee on the Environment and Climate Change will hold an oversight hearing on "[Mismanaging Chemical Risks: EPA's Failure to Protect Workers](#)." In advance of the hearing, Environmental Defense Fund lead senior scientist, [Dr. Richard Denison](#), made the following statement:

"Under the Trump Administration, every aspect of EPA's implementation of the Toxic Substances Control Act (TSCA) — our recently reformed chemical safety law — has gone off the rails. The Trump EPA has abdicated its authority and responsibility under the law to address risks to workers. Among the ways EPA has shirked these duties are the following:

- **Clearing new chemicals despite risks to workers.** EPA has approved new chemicals for unfettered market access even where the agency has identified significant risks to workers or has indicated it has insufficient information to determine risks to workers. EPA has done so for many dozens of chemicals.

- **Abandoning worker protections from methylene chloride.** EPA is poised to finalize a ban of methylene chloride-based paint strippers far narrower than the one it proposed over two years ago. While consumer uses will be banned, EPA will not limit commercial uses, leaving workers, who are most at risk from these products, unprotected.
- **Ignoring worker safety in chemical risk evaluations under TSCA.** In the only draft risk evaluation of a chemical issued to date, EPA relied exclusively on a single undocumented workplace air concentration value, provided through a private personal communication by a conflicted industry source, as the basis to conclude that workers across the supply chain for this chemical face no significant exposure to the chemical.

"Oversight of this EPA's reckless approach to worker protection under existing law is long overdue. We applaud the subcommittee for holding this hearing. This EPA is putting the public's health — especially worker's health — at risk by systematically weakening and undermining chemical safety: the agency must be held accountable."

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**From:** Dunn, Alexandra  
**Sent:** Tuesday, March 12, 2019 12:34 PM  
**To:** Henry, Tala <Henry.Tala@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>  
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**Subject:** RE: March 13 hearing.

Definitely getting better. Thanks Tala. I would like to ask OPP and OPPT to give an example each even more specific. For example, in new EPA regulations promulgated under .... EPA requires applicators of xxx pesticide to xxxx or how we looked at the risk to applicators/workers and how the final rule addressed workers.

How about something public around a new chemical reviewed under TSCA? IE a SNUR can require: use of worker personal protective equipment (PPE); new chemical exposure limits (NCELS) for worker protection;

and hazard communication language – all of which can protect workers. Can we cite to any public SNURS?

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**From:** Henry, Tala  
**Sent:** Tuesday, March 12, 2019 12:26 PM  
**To:** Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>  
**Cc:** Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>; Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Morris, Jeff <[Morris.Jeff@epa.gov](mailto:Morris.Jeff@epa.gov)>; Hartman, Mark <[Hartman.Mark@epa.gov](mailto:Hartman.Mark@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Tyler, Tom <[Tyler.Tom@epa.gov](mailto:Tyler.Tom@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Keigwin, Richard <[Keigwin.Richard@epa.gov](mailto:Keigwin.Richard@epa.gov)>  
**Subject:** RE: March 13 hearing.

Attached are OPPT Responses.  
Also, have cc'd Rick Keigwin for OPP.

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**From:** Ringel, Aaron  
**Sent:** Tuesday, March 12, 2019 11:58 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>  
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**Subject:** RE: March 13 hearing.

Here's an updated version of the letter with our edits and comments. As we note, it really needs substantive examples of what real world results we see at the end of the process described in the current letter that will be compelling and change the narrative that is being put out during this hearing.

OCSPP/OPPT, can you provide factual examples of the work we've done that has led to increased worker protection or ensuring these standards are met that we can include?

-Aaron

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**From:** Ringel, Aaron

**Sent:** Tuesday, March 12, 2019 11:02 AM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>

**Cc:** Baptist, Erik <[baptist.erik@epa.gov](mailto:baptist.erik@epa.gov)>; Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Morris, Jeff <[Morris.Jeff@epa.gov](mailto:Morris.Jeff@epa.gov)>; Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Hartman, Mark <[Hartman.Mark@epa.gov](mailto:Hartman.Mark@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Tyler, Tom <[Tyler.Tom@epa.gov](mailto:Tyler.Tom@epa.gov)>

**Subject:** RE: March 13 hearing.

Thanks, I've taken a run at it and having my team do a pass as well. Will send an updated version shortly but would like to get everyone thinking about potential examples of worker protection actions in all OCSPP/EPA activities we have taken that can be cited as well.

Right now we outline the program and the worker protection requirements we carry out in executing it, not the real world results we see at the end of the process that will be compelling and change the narrative that is being put out during this hearing.

-Aaron

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**From:** Beck, Nancy

**Sent:** Tuesday, March 12, 2019 8:07 AM

**To:** Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>

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**Subject:** RE: March 13 hearing.

A few little tweaks and a comment for consideration

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Nancy B. Beck, Ph.D., DABT

Principal Deputy Assistant Administrator, OCSPP

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**From:** Dunn, Alexandra

**Sent:** Tuesday, March 12, 2019 7:52 AM

**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>

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**Subject:** RE: March 13 hearing.

Here is the draft letter. One question for the OCSPP team, otherwise please provide all edits to Tom Tyler, Acting COS for OCSPP. Aaron we'll work with you to ensure it is ready to go up to the Hill when you say.

Alexandra Dapolito Dunn, Esq.  
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Office of Chemical Safety and Pollution Prevention  
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**From:** Block, Molly  
**Sent:** Monday, March 11, 2019 7:55 PM  
**To:** Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Voyles, Travis <[Voyles.Travis@epa.gov](mailto:Voyles.Travis@epa.gov)>; Brazauskas, Joseph <[brazauskas.joseph@epa.gov](mailto:brazauskas.joseph@epa.gov)>  
**Cc:** Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>; Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Morris, Jeff <[Morris.Jeff@epa.gov](mailto:Morris.Jeff@epa.gov)>; Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Hartman, Mark <[Hartman.Mark@epa.gov](mailto:Hartman.Mark@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** Re: March 13 hearing.

Adding Travis and Joe.

Sent from my iPhone

On Mar 11, 2019, at 7:54 PM, Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)> wrote:

The letter is drafted. I'm reviewing & will send first thing early am.

Alexandra Dapolito Dunn, Esq.  
Assistant Administrator  
Office of Chemical Safety & Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC

Sent from my iPhone

On Mar 8, 2019, at 9:58 AM, Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)> wrote:

Also, looping in the OPA team. Might be worth having a press statement in the hopper refuting a lot of what we know is going to come out of the hearing for release right before it begins or immediately afterwards.

-Aaron

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**From:** Ringel, Aaron  
**Sent:** Friday, March 8, 2019 8:49 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>; Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>; Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Morris, Jeff <[Morris.Jeff@epa.gov](mailto:Morris.Jeff@epa.gov)>; Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Hartman, Mark <[Hartman.Mark@epa.gov](mailto:Hartman.Mark@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** Re: March 13 hearing.

Alex, let's discuss today when you have a moment. Looping in Troy as well.

Thanks!  
Aaron

Sent from my iPhone

On Mar 8, 2019, at 7:39 AM, Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)> wrote:

I'm presuming they would want us to have something—the scope is looking pretty broad. Aaron can provide further details-looping him in.

So far I'm hearing it will be:  
Teachers union- PCBs, lead in schools  
Firefighters- PFOA  
UAW-framework rules  
Academics (likely David Michaels)  
United Farmworkers- pesticides

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**From:** Dunn, Alexandra  
**Sent:** Friday, March 8, 2019 7:22 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>; Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Morris, Jeff <[Morris.Jeff@epa.gov](mailto:Morris.Jeff@epa.gov)>; Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Hartman, Mark <[Hartman.Mark@epa.gov](mailto:Hartman.Mark@epa.gov)>  
**Subject:** Re: March 13 heading.

I'm checking with OCR I would like to have a statement or some document that we could produce providing our point of view on the subject of the hearing.

Alexandra Dapolito Dunn, Esq.  
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Washington, DC

Sent from my iPhone

On Mar 8, 2019, at 7:14 AM, Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)> wrote:

<https://energycommerce.house.gov/committee-activity/hearings/hearing-on-mismanaging-chemical-risks-epa-s-failure-to-protect-workers>

My understanding is that they don't intend to invite EPA.

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